

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JAMES M. VANIDESTINE,

Plaintiff,

v.

Case No. 18-C-1776

MARINETTE COUNTY JAIL,
MARINETTE COUNTY SHERIFF,
JOHN DOE,
JOHN DOE, and
JOHN DOE,

Defendants.

ORDER OF DISMISSAL

Plaintiff James M. Vanidestine, who is currently incarcerated at Oshkosh Correctional Institution and representing himself, filed this action pursuant to 42 U.S.C. § 1983, alleging that Defendants violated his civil rights. By order dated November 15, 2018, Vanidestine was ordered to forward to the Clerk of Court the sum of \$21.35 as an initial partial filing fee within 21 days or advise the court why he is unable to do so. ECF No. 6. To date, Vanidestine has not paid the initial partial filing fee or provided a reason for being unable to do so. From his failure to pay and lack of communication, the court infers that Vanidestine no longer wishes to pursue this action.

IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice pursuant to Civil Local Rule 41(c) and Federal Rule of Civil Procedure 41(b).

IT IS FURTHER ORDERED that copies of this order be sent to the officer in charge of the agency where the inmate is confined.

IT IS FURTHER ORDERED that Vanidestine's motion for leave to proceed without prepayment of the filing fee (ECF No. 2) is **DENIED** as moot.

Dated this 21st day of December, 2018.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court